

Message Text

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LIMDIS

FOR STYLES FROM CHENEY

EW 11652: GDS

TAGS: EAIR, PE

SUBJ: CIVAIR - PERUVIAN NEGOTIATING POSITION

REF: LIMA 4617

1. PFLUCKER HAS INFORMED ME THAT HE UNDERSTANDS ON GOOD AUTHORITY THAT BOTH LEON DE VIVERO AND GULMAN STRONGLY RESISTED SHIFTING LOCATION OF NEGOTIATIONS TO WASHINGTON. THEY AGREED TO WASHINGTON ONLY AFTER RECEIVING DIRECT ORDERS FROM SENIOR GOP OFFICIALS. PFLUCKER FEELS THAT THEIR ATTITUDE IS LIKELY TO BE EVEN LESS FORTHCOMING (IF POSSIBLE) THAN DURING SESSIONS IN LIME. ACCORDING PFLUCKER, BERCKEMEYER AND SOLARI ARE LITTLE BETTER THAN CIPHERS AND WILL BE LED BY OTHERS. BERCKEMEYER'S SOLE AIM IS SAID TO BE TO SURVIVE HIS TERM AS DGTA WITH A WHOLE SKIN, AND LITTLE OR NO INITIATIVE CAN BE EXPECTED OF HIM.

2. PFLUCKER SAYS THAT HE FURTHER UNDERSTANDS THAT THERE IS VERY LITTLE FLEXIBILITY IN PERUVIAN NEGOTIATING POSITION. HE SAYS THEY WILL PROBABLY BE PREPARED TO COMPROMISE ON NUMBER OF FLIGHTS AT 25. THEY WILL ALSO BE WILLING TO
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AGREE TO THREE YEAR TERM FOR OPERATING PERMIT ON CONDITION

THAT FOR PUBLICATION HERE PERMIT WILL APPEAR TO BE FOR ONE YEAR WITH SECRET UNDERSTANDING BETWEEN DELEGATIONS THAT IT WILL BE RENEWED ON SAME TERMS FOR TWO SUCCEEDING YEARS. (NOTE: THIS REPRESENTS NO CONCESSION SINCE PERUVIAN AVIATION LAW AS AMENDED LAST YEAR PROVIDES THAT OPERATING PERMITS ACCORDED FOREIGN AIRLINES MAY BE FOR PERIODS OF UP TO THREE YEARS AND MUST BE RENEWED ANNUALLY.) PFLUCKER BELIEVES THAT PERUVIANS MAY BE WILLING TO AGREE TO CONTINUATION OF BRANIFF SERVICES TO BRAZIL UNDER SUCH AN OPERATING PERMIT, ALTHOUGH THEY MAY SEEK TO IMPOSE RESTRICTIONS.

3. PFLUCKER BELIEVES THAT UNLESS USG IS WILLING TO COME TO TERMS ON BASIS SOMETHING LIKE THE FOREGOING, THE GOP IS PREPARED FOR IMPOSITION OF RESTRICTIONS TO COME ABOUT. HE THOUGHT SEVERAL MONTHS MIGHT THEN ELAPSE BEFORE PRESURES ON PERUVIANS BECAME SUCH THAT THEY WOULD BE WILLING TO RESUME NEGOTIATIONS. IN RESPONSE TO QUESTION, HE SAID THAT IN THIS EVENTUALITY BRANIFF WOULD CONTINUE ITS OPERATIONS ON BASIS OF ONE FLIGHT PER WEEK AT LEAST ON INTERIM BASIS. ASKED IF BRANIFF WOULD BE PREPARED TO ACCEPT CONDITIONS OUTLINED IN FOREGOING PARAGRAPH, HE REPLIED THAT BRANIFF PROBABLY WOULD, HE ADDED HE HAD NO WAY OF KNOWING IF SUCH CONDITIONS WOULD BE ACCEPTABLE TO AV OR CAB, ALTHOUGH HE WAS INCLINED TO DOUBT IT.

4. COMMENT: ALTHOUGH PFLUCKER DESCRIBES GOP POSITION AS SHOWING LITTLE FLEXIBILITY, ACCEPTANCE OF ACCESS TO BRAZIL AND WHAT IN EFFECT IS A THREE-YEAR AGREEMENT MAY INDEED CONSTITUTE A SIGNIFICANT SUBSTANTIVE SHIFT IN POLICY. EMBASSY BELIEVES THAT IF THERE ARE NO UNDUE STRINGS OR CATCH-22 PROVISIONS ON ACCESS TO BRAZIL AND THE OTHER PENDING ISSUES, USG NEGOTIATORS SHOULD BE WILLING TO SEEK AGREEMENT ON THIS BASIS. HOW MUCH USG SHOULD CONCEDE, FOR EXAMPLE CONCERNING ACCESS TO NEW YORK AND OTHER ISSUES, IS ANOTHER MATTER. HOWEVER, EVEN IN THIS CASE ACCESS TO NEW YORK MIGHT WELL BE A REASONABLE PRICE TO PAY TO HAVE AN ASSURED THREE-YEAR STABILITY IN BILATERAL CIVIL AIR RELATIONS.

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